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CRL OP No. 7794 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7794 of 2026

Sakthivel
S/o. Senthil Kumar
No.151,Esakkiamman Kovil Street,
Thisaiyanvillai, Tirunelveli District

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Somangalam Police Station
Kancheepuram District
Crime No. 52/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on anticipatory bail in the event of her arrest in Crime No.52/2026 dated 21.02.2026 on the file of the Inspector of Police, Somangalam Police, Kancheepuram District, and thus render justice.

For Petitioner(s):

Selvan Subramanian

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 305, 331(4) of BNS (380, 457 of IPC) in Crime No.52 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner stolen an electric motor and wires. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. He also submitted that the co-accused has already been released on bail in Criminal O.P. No. 6605 of 2026, by order dated 13.03.2026. Hence, he sought anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and, upon instructions, submitted that there are five accused in this case and the petitioner is arrayed as A2. It is further submitted that no previous case has been registered against the petitioner. However, he opposed the grant of anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the materials available on record.



6. Considering the facts and circumstances of the case, and taking into account that the First Information Report was registered on 21.01.2026, that the petitioner has not come to the adverse notice of the police, and that the co-accused have already been released on bail, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Accordingly, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions;

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sriperumbathur, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



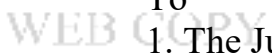
(c) The petitioner shall sign before the respondent police daily at 10.30 a.m., and 5.30 p.m., for a period of sixty days and thereafter, as and when required for interrogation; and that no relaxation petition will be entertained for a period of thirty days;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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3. The Public Prosecutor, High Court, Madras.



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